



General Assembly

January Session, 2007

Committee Bill No. 391

LCO No. 4249

04249SB00391INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

AN ACT CONCERNING THE PROVISION OF LOANER VEHICLES TO INSUREDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-335 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) Each automobile liability insurance policy shall provide
4 insurance in accordance with the regulations adopted pursuant to
5 section 38a-334 against loss resulting from the liability imposed by law,
6 with limits not less than those specified in subsection (a) of section 14-
7 112, for damages because of bodily injury or death of any person and
8 injury to or destruction of property arising out of the ownership,
9 maintenance or use of a specific motor vehicle or motor vehicles within
10 any state, territory, or possession of the United States of America or
11 Canada.

12 (b) Each automobile liability insurance policy issued, renewed,
13 amended or endorsed on or after October 1, 1988, and covering a
14 private passenger motor vehicle as defined in subsection (e) of section
15 38a-363, shall contain or have attached thereto a conspicuous statement

16 specifying whether the policy provides liability, collision or
17 comprehensive coverage for damage to a rented private passenger
18 motor vehicle and, where the policy provides such coverage, the limit
19 of coverage provided and whether any deductible amount applies.

20 (c) Each automobile liability insurance policy issued, renewed,
21 amended or endorsed on or after April 8, 1974, shall provide that if the
22 provisions of the motor vehicle financial responsibility law or the
23 motor vehicle compulsory insurance law or any similar law of any
24 state, territory or possession of the United States of America or any
25 Province of Canada, require insurance with respect to the operation or
26 use of the motor vehicle in such state, territory, possession or province
27 and such insurance requirements are greater than the insurance
28 provided by the policy, the limits of the company's liability and the
29 kinds of coverage afforded by the policy shall be as set forth in such
30 law, in lieu of the insurance otherwise provided by the policy, but only
31 to the extent required by such law and only with respect to the
32 operation or use of the motor vehicle in such state, territory, possession
33 or province; provided the insurance under this subsection shall be
34 reduced to the extent that there is other valid and collectible insurance
35 under such policy or any other motor vehicle insurance policy. In no
36 event shall any person be entitled to receive duplicate payments for
37 the same element of loss.

38 (d) With respect to the insured motor vehicle, the coverage afforded
39 under the bodily injury liability and property damage liability
40 provisions in any such policy shall apply to the named insured and
41 relatives residing in his household unless any such person is
42 specifically excluded by endorsement.

43 (e) Each automobile liability insurance policy issued, renewed,
44 amended or endorsed on or after October 1, 2007, and covering a
45 private passenger motor vehicle, as defined in subsection (e) of section
46 38a-363, that includes coverage for temporary transportation in the
47 event of a loss to such motor vehicle shall provide that the motor

48 vehicle designated for temporary transportation be, at a minimum, of
49 equivalent size, age and quality as the private passenger motor vehicle
50 covered under the policy.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2007	38a-335
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Statement of Purpose:

To require that insurers provide customers with loaner vehicles of at least equal size and quality as their own vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. FASANO, 34th Dist.

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